

REMARKS

Applicants appreciate the consideration of the present application afforded by the Examiner. Claims 1, 2, 4, 6, 7, 9, 13-16, 18 and 25 were pending prior to the Office Action. Claims 26-28 have been added through this Reply. Therefore, claims 1, 2, 4, 6, 7, 9, 13-16, 18 and 25-28 are pending. Claims 1, 13, 18, and 25-28 independent. Favorable reconsideration and allowance of the present application are respectfully requested in view of the following remarks.

Allowable Subject Matter

Applicants appreciate that claims 1, 2, 4, 6, 7, 9, and 13-16 are indicated to be allowable. Applicants note that claim 25 was not rejected in the prior Office Action and therefore respectfully submit that claim 25 is also in condition for allowance.

Claim Rejections - 35 U.S.C. §102

Claim 18 stands rejected under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent No. 6,693,661 to Vanderwilt et al. ("Vanderwilt"). As applied to the claim as amended, Applicants submit the Examiner has failed to establish a *prima facie* case of anticipation and traverse the rejection.

In order to establish a *prima facie* case of anticipation under 35 U.S.C. §102, the cited reference must teach or suggest each and every element in the claims. *See M.P.E.P. §2131; M.P.E.P. §706.02*. Accordingly, if the cited reference fails to teach or suggest one or more claimed elements, the rejection is improper and must be withdrawn.

Independent claim 18 recites an image transmitting method for transmitting an image, which a user specifies in a videoconference, to another user's communication equipment, comprising:

a step of the other user's communication equipment and the user's own communication equipment performing videoconferencing by displaying, on a display device of the user's own communication equipment, at least a moving image display section representing the other user;

a step of displaying at least one image as at least one image menu on the display device of the user's own communication equipment;

a step of selecting an image, transmission of which the user expects, from the image menu during the communication;

a step of the user commanding transmission of the selected image by dragging the selected image to the moving image display section and dropping the selected image thereon, using a user interface of the user's own communication equipment; and

a step of transmitting the selected image to the other user's communication equipment as a result of the user commanding transmission the selected image.

Applicant's respectfully submit that the prior art fails to teach or suggest at least the aforementioned features of claim 18. More specifically, Vanderwilt does not disclose or suggest commanding transmission of an image, selected from an image menu, to another user's communication equipment during a videoconference, by a user dragging the selected image to the moving image display section and dropping the selected image thereon, using a user interface of the user's own communication equipment.

Therefore, at least because Vanderwilt fails to teach or suggest each and every claimed element, independent claim 18 is distinguishable from the prior art. Accordingly, Applicant respectfully requests that the rejection of claims 18 under 35 U.S.C. § 102(e) be withdrawn.

New Claims

New claims 26-28 have been added through this Amendment and are considered to be in condition for allowance. No new matter has been entered.

Conclusion

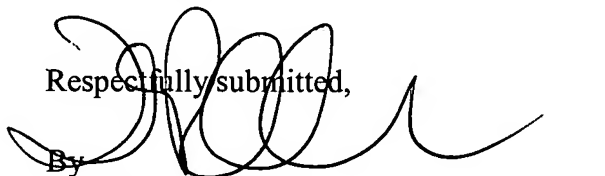
All objections and rejections raised in the Office Action having been addressed, it is respectfully submitted that the present application is in condition for allowance. Notice of same is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John R. Sanders, Reg. No. 60,166 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

Dated: October 9, 2007

Respectfully submitted,

A handwritten signature in black ink, appearing to be "D. Richard Anderson", written over a horizontal line.

D. Richard Anderson
Registration No.: 40,439
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road
Suite 100 East
P.O. Box 747
Falls Church, Virginia 22040-0747
(703) 205-8000
Attorney for Applicant